IN THE

Supreme Court of the United States

OCTOBER TERM, 1974

No. 74-64

MARIE ABATE, *et al.*,

Petitioners,

v.

PITTSBURGH PLATE GLASS COMPANY, *et al.*,

Respondents.

PETITION FOR REHEARING ON PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

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Petitioners respectfully request rehearing on Petition For Writ Of Certiorari in this case pursuant to Rule 58, 2; and in support thereof state as follows:

That Defendants-Respondents, Pittsburgh Plate Glass Industries (hereinafter referred to as P.P.G. Industries); the United Glass and Ceramics Workers of North America AFL-CIO, and the United Glass and Ceramics Workers of North America, Creighton Local 12; have

been in violation of the Civil Rights Act of 1964 (Title VII) through age discrimination in addition to sex discrimination. As plaintiffs approached age when pension time would have been gained by working, defendants P.P.G. Industries, and the unions, unlawfully arranged a seniority termination cut-off on August 14, 1968 (notice of which was mailed to women September 26, 1968) with no further recall rights, all this three years *after* the law went into effect.

Was the lower court action abusive of it's discretion by

1. Imposing a "compromising settlement" on women who were excluded from at least 20 to 40 hearings and countless secretive meetings; which original counsel, the committee and their husbands (*husbands not parties in interest*, sat in on and participated in decisions) which resulted in a meager, inadequate, token financial settlement.

2. Instead of being recalled in 1966 which would have enabled plaintiffs to earn 50 to 62 thousand dollars each plus additional benefits and pension rights; the settlement was based on $32.66 per month worked; ranging from a grand total of $32.66 (representing for an individual, time lost of approximately seven years.) to a "high" of less than $6,000. in disbursements which the defendants and lower court consider "fair and adequate."

This shows less than 3% of relief sought and constitutes a grave injustice to plaintiffs. What existing relationship is there between time women had worked prior to the discrimination, and losses they sustained as a result of the discrimination? No rationale exists for this.

3. The trial judge exerted much undue pressure and harrassment on plaintiffs desiring to become a separate class, in order to seek a fair and just settlement.

The terms of the settlement were repeatedly denied to petitioners until approximately four months after the opt out date.

Deceptive information released by the committee many months prior to that time was that women would individually receive 50,000.00 dollars each.

Are balances of scales tipped in favor of big corporations; while laws protecting citizen rights are postdated, then ruled ineffective? Petitioners pray US Supreme Court will permit dissatisfied members to seek adequate relief and will grant us a rehearing on Petition For Writ Of Certiorari.

Equal Employment Opportunity Commission findings were continually distorted by lower court and defendants; and subtle, behind the scenes restraints appeared to be placed upon them in that court.

This petition is restricted to grounds above mentioned: and is presented in good faith and not for delay.

This is to certify that on or before the 9th. day of January, 1975 copies of this application are being sent to:

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Respectfully submitted by one of the Petitioners this 18th. day of December, 1974.

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